

_____**Court of Washington, County of**_____

Petitioner

vs.

Respondent

DOB

No.

**Extreme Risk Protection Order
(XRPO)**

☐ **Renewal (ORRXRPO)**

Next Hearing Date/Time:_____

Court address:

Clerk's Action Required: **6, 7, 8, 9**

Extreme Risk Protection Order

Warning to Respondent! You are prohibited from having a firearm in your custody or control, or from purchasing, accessing, possessing, or receiving, or attempting to purchase or receive any firearm or a concealed pistol license. You must surrender any and all firearms including but not limited to firearms as described below. Under RCW 7.105.460(2), if you violate this order, you may be charged with a crime and you may not be able to have a firearm for at least 5 more years after this order expires.

You have the sole responsibility to not violate this order. Only the court may change this order and only after written application.

Respondent's Distinguishing Features:

Respondent Identifiers

Sex	Race	Hair
Height	Weight	Eyes

This 1-year order expires on date:_____ **time:**_____ **a.m./p.m.**

Respondent: You must immediately surrender all firearms and any concealed pistol licenses listed below. If you have other firearms, you must surrender all of them also:

--	--

--	--

Attach additional sheet if there are more firearms to list.

Respondent: This order will last until the date and time noted above. If you have not done so already, you must immediately surrender to the (*name of local law enforcement agency*) _____

all firearms in your custody, control, or possession and any concealed pistol licenses issued to you under RCW 9.41.070. You may not have in your custody or control, access, purchase, possess, receive, or attempt to purchase or receive, a firearm, or a concealed pistol license, while this order is in effect. You have the right to request 1 hearing to terminate this order in every 12 month period that this order is in effect, starting from the date of this order and continuing through any renewals. You may seek the advice of an attorney as to any matter connected with this order.

Respondent:

1. Firearms Surrender. You must immediately surrender all firearms by these deadlines:

- A. Personally served:** If this order is served by a law enforcement officer, immediately surrender all firearm/s and any concealed pistol license/s to the serving officer.
- B. Attended the hearing:** If you attended the hearing where the court issued this order, surrender the firearm/s and concealed pistol license/s to the law enforcement agency listed in this order on the same day as the hearing. Contact the law enforcement agency for directions on how to surrender the firearm/s. Do not bring weapons to the courthouse for surrender.
- C. Alternative service:** If you are served by other means, you must surrender all firearm/s to the control of local law enforcement agency within 24 hours of being served.

This Extreme Risk Protection Order is based upon the following:

- 2. Notice:** Respondent received notice of this hearing by ☐ personal service ☐ publication ☐ mail.
- 3. Hearing:** The court held a hearing before issuing this full protection order. These people attended:

<input type="checkbox"/> Petitioner	<input type="checkbox"/> in person	<input type="checkbox"/> by phone	<input type="checkbox"/> by video
<input type="checkbox"/> Petitioner's Lawyer	<input type="checkbox"/> in person	<input type="checkbox"/> by phone	<input type="checkbox"/> by video
<input type="checkbox"/> Respondent	<input type="checkbox"/> in person	<input type="checkbox"/> by phone	<input type="checkbox"/> by video
<input type="checkbox"/> Respondent's Lawyer	<input type="checkbox"/> in person	<input type="checkbox"/> by phone	<input type="checkbox"/> by video
<input type="checkbox"/> Other: _____	<input type="checkbox"/> in person	<input type="checkbox"/> by phone	<input type="checkbox"/> by video

- 4. The Court finds:** By a preponderance of the evidence that the Respondent poses a significant danger of causing personal injury to self or to others in **the future** by having in Respondent's custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive a firearm; based upon (**check all that apply**):
 - a. ☐ Respondent has access to someone else's firearm/s.
 - b. ☐ Respondent owns a firearm/s or has expressed intent to obtain a firearm.

- c. ☐ Respondent has unlawfully or recklessly used, displayed, or brandished a firearm.
- d. ☐ Respondent recently acquired a firearm/s.
- e. ☐ Respondent violated a civil or criminal protection order, no-contact order or restraining order.
- f. ☐ Respondent was/is the subject of a previous or current extreme risk protection order.
- g. ☐ Respondent violated a previous or current extreme risk protection order.
- h. ☐ Respondent has been arrested for or convicted of a domestic violence crime as defined in RCW 10.99.020.
- i. ☐ Respondent has been arrested for or convicted of a felony offense or violent crime.
- j. ☐ Respondent has been convicted of a hate crime under RCW 9A.36.080.
- k. ☐ Respondent has recently committed or threatened violence against self or others, whether or not Respondent had a firearm.
- l. ☐ Respondent has shown, within the past 12 months, a pattern of acts or threats of violence, which can include violent acts against self or others.
- m. ☐ Respondent has a history of use, attempted use, or threatened use of physical force against another person.
- n. ☐ Respondent has a history of stalking another person.
- o. ☐ Respondent's behaviors present an imminent threat of harm to self.
- p. ☐ Respondent's behaviors present an imminent threat of harm to others.
- q. ☐ There is corroborative evidence of Respondent's abuse of ☐ alcohol or ☐ controlled substances.
- r. ☐ Other: _____

5. **Evaluation:** The court has considered whether it is appropriate to order a behavioral health evaluation of the Respondent. The court finds that conducting a behavioral health evaluation is ☐ appropriate ☐ not appropriate.

☐ **Respondent:** You must have a behavioral health evaluation completed by a qualified evaluator within _____ days of this order. Proof of obtaining the evaluation must be filed with this court within _____ days of completion.

☐ While appropriate, the court is not ordering an evaluation for the following reason/s: _____

6. Washington Crime Information Center (WACIC) and Other Data Entry

Clerk's Action. The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*) _____

(*check only one*): ☐ Sheriff's Office or ☐ Police Department
(*List the same agency that entered the temporary order, if any*)

This agency shall enter this order into WACIC and National Crime Info. Center (NCIC).

7. Service on the Restrained Person

☐ **Required.** The restrained person must be served with a copy of this order.

- ☐ The **law enforcement agency** where the restrained person lives or can be served shall serve the restrained person with a copy of this order and shall promptly complete and return proof of service to this court.

Law enforcement agency: (*county or city*) _____
(*check only one*): ☐ Sheriff's Office or ☐ Police Department

- ☐ The **petitioner** shall make private arrangements for service and have proof of service returned to this court. (*This is only an option if surrender of weapons is **already completed and verified by the court.***)

Clerk's Action. The court clerk shall forward a copy of this order on or before the next judicial day to the agency and/or party checked above. The court clerk shall also provide a copy of the order to the protected person.

- ☐ **Alternative Service Allowed.** The court authorizes alternative service by separate order (*specify*): _____

☐ **Not required.** See section 3 above for appearances.

- ☐ The restrained person appeared at the hearing where this order was issued and received a copy.
- ☐ The restrained person appeared at the hearing where this order was issued but refused to accept a copy of this order. Additional service is not required.
- ☐ The restrained person appeared remotely or left the hearing early but received actual notice of the order. Additional service is not required and proof of service is not necessary.

8. ☐ Service on Others

Service on the adult's guardian/conservator (*name/s*) _____ is:

☐ **Required.**

- ☐ The **law enforcement agency** where the person to be served lives or can be served shall serve a copy of this order and shall promptly complete and return proof of service to this court.

Law enforcement agency: (*county or city*) _____
(*check only one*): ☐ Sheriff's Office or ☐ Police Department

- ☐ The **petitioner** shall make private arrangements for service and have proof of service returned to this court.

Clerk's Action. The court clerk shall forward a copy of this order on or before the next judicial day to the agency and/or party checked above.

- ☐ **Not required.** They appeared at the hearing where this order was issued and received a copy.

9. DOL Notification

The issuing court shall, within 3 judicial days after this order issued, forward a copy of the Respondent's driver's license, identicard, or comparable information along with the







date of issuance to DOL. If respondent has a concealed pistol license, DOL must immediately notify a law enforcement agency that the court has directed the revocation of the license.

Respondent: You must attend the hearing listed on page 1 of this order and show the court that you surrendered your firearm/s and concealed pistol license/s.

Voluntarily surrendering firearms or providing testimony regarding the surrender of firearms pursuant to an extreme risk protection order may not be used against you in any criminal prosecution under chapters 7.105, 9.41, or 9A.56.310 RCW.

How to attend the hearing on page 1

The hearing scheduled on page 1 will be held:

	In person Judge/Commissioner: _____ Courtroom: _____ Address: _____		
	Online (audio and video) App: _____ [] Log-in: _____ [] You must get permission from the court at least 3 court days before your hearing to participate online (audio and video). To make this request, contact: _____		
	By Phone (audio only) [] Call-in number _____ [] You must get permission from the court at least 3 court days before your hearing to participate by phone only (without video). To make this request, contact: _____		
	If you have trouble connecting online or by phone (instructions, who to contact) _____ _____		
	Ask for an interpreter, if needed. Contact: _____ _____		Ask for disability accommodation, if needed. Contact: _____ _____

Ask for an interpreter or accommodation as soon as you can. Do not wait until the hearing!

Dated: _____ at _____ a.m./p.m. _____

Judge/Commissioner

Print Judge/Commissioner Name

I acknowledge receipt of a copy of this order.

Signature of Respondent

Print Name

Signature of Respondent's Attorney WSBA No.

Print Name

Signature of Petitioner/Attorney WSBA No.

Print Name and Badge No., if applicable

The Petitioner or Petitioner's lawyer must complete the Confidential and Law Enforcement Information – Extreme Risk Protection Order form, XR 105.

NOTICES:

To Petitioner: You may file a motion to ask the court to renew this 1-year order. You may begin that process no sooner than 90 days prior to the date this order expires (see page 1).

To Respondent: You may file a motion requesting the court to terminate this 1-year order. You may make this request only once during the 1-year period of this order.

To both parties: The court will consider any motion to terminate or renew this order only upon the filing of a written motion, the scheduling of a hearing, and notice to the other party.

Respondent: Read more information about surrender of weapons.

Receipt: The law enforcement officer who receives your firearms will prepare a receipt with a list of the firearms and any concealed pistol license/s. The law enforcement officer must file the receipt with the court within 72 hours. The officer will give you a copy of the receipt to keep for your records.

If someone else owns the firearms: If the law enforcement agency determines someone else is the lawful owner of the firearm/s, the agency will return the firearm to the lawful owner, if:

- the firearm is removed from the Respondent's custody, control, and possession;
- the lawful owner provides written verification to the court regarding how they will safely store the firearm in a way that Respondent does not have access and control of the firearm;
- the court advises the lawful owner of the penalty for failure to do so; and
- the owner is lawfully authorized to possess the firearm.